

EXHIBIT “1”

- (1) This Defendant’s denial of any of the allegations contained in numerical paragraph 4 in Plaintiff’s Petition, as set forth in this Defendant’s Answer.
- (2) Ognjen Milanovic’s driving record prior to the subject accident.
- (3) Any investigation conducted by this Defendant to determine the amount of money paid by Plaintiff to its insured, Earlene Carr under the insurance policy issued to Ms. Carr by FMFICO as a result of the subject accident and loss.
- (4) The amount of money this Defendant contends Plaintiff is owed by this Defendant or its insurance company.
- (5) If this Defendant contends FMFICO is not entitled to recover from this Defendant and/or its insurance company the insurance proceeds paid to and on behalf of Ms. Carr, as set forth in this Defendant’s Answer to numerical paragraph 7 in Plaintiff’s Petition, the factual basis for such position.
- (6) The factual basis for this Defendant’s first affirmative defense of unavoidable accident.
- (7) All evidence that supports this Defendant’s position that Ognjen Milanovic suddenly lost conscious while driving a Highlight tractor trailer on August 8, 2020.